



Legal Assistance Department, Region Legal Service Office Western Pacific
Yokosuka Office: YokosukaLegalAssistance@fe.navy.mil
Sasebo Branch: SaseboLegalAssistance@fe.navy.mil
http://www.jag.navy.mil/legal_services/rlso/rlso_japan.htm

Family Law - 2

Preventative Law Series

PROXY MARRIAGE

If either party is a NOT a U.S. citizen, please contact your local legal assistance office for guidance on proxy marriage due to important immigration considerations.

A proxy marriage is a marriage ceremony where one or both parties are not physically present for the ceremony. It is a legally binding form of marriage available in some States that may require hiring a local attorney or agency to facilitate the process. If the proxy marriage is valid in the State where it is performed, then it is valid in all other States and the DoD.

If either party cannot physically appear to get married in Japan, then proxy marriage may be an option. **Please contact Legal Assistance if you are marrying a non-U.S. citizen** because your geographic separation may affect your foreign spouse's immigration and naturalization.

Single Proxy Marriage: A marriage ceremony where one of the two parties is not physically present. Allowed in California, Colorado, Texas, and Montana.

Double Proxy Marriage: A marriage ceremony where both parties are not physically present. Only allowed in Montana.

Eligibility Requirements:

California (Single Proxy): The physically absent party must be (1) a U.S. Service Member, (2) stationed overseas, and (3) serving in a conflict or war.

Colorado (Single Proxy): At least one party must be a Colorado resident and the absent party must be either (1) a U.S. Service Member or (2) a government contractor supporting the military stationed or deployed in a foreign country or another State in support of a combat or military operation.

Texas (Single Proxy): The physically absent party must be (1) a U.S. Service Member, (2) stationed overseas, and (3) serving in support of combat or another military operation.

Montana (Dual Proxy): One party must be either (1) U.S. Service Member on federal active duty, or (2) a resident of Montana. This is generally done by either having a trusted agent contact the Montana courthouse to determine the local process or through hiring a private company.

All Navy personnel must comply with COMNAVFORJAPANINST 1752.1T if they are either:

- (1) Stationed in Japan and marrying a non-U.S. citizen (even in the U.S./U.S. territories) or
- (2) Marrying a non-U.S. citizen in Japan

Please see our Preventative Law Series - *Marriage in Japan* for more information on pre-/post-marriage requirements.